

**DAVID S. BOCSY and
JAMES J. BOCSY,**

Plaintiffs,

V.

**COMMONWEALTH OF PENNSYLVANIA,
COUNTY OF ALLEGHENY,
REDEVELOPMENT AUTHORITY OF
ALLEGHENY COUNTY; BOROUGH OF
HOMESTEAD; MON VALLEY INITIATIVE,
RICHARD A. RANII,
MICHAEL A. DELLAVECCHIA,
WILLIAM G. MERCHANT, S&A HOMES,
DWANE YOUNGBLOOD, FRED LAGITITO,
LLOYD A. WELLING, LAND AMERICA,
JEFFREY SELBY, JANET NORKUS,
CASSIE BRANDON, MIKE BLOTZAR, and
GARY BODNER,**

Defendants.

ORDER OF COURT

AND NOW, this 9th day of January, 2009, upon consideration of MOTION TO DISMISS PLAINTIFFS' CLAIMS FILED ON BEHALF OF THE HONORABLE MICHAEL A. DELLA VECCHIA and Brief in Support (Document Nos. 12 and 13) and the Court's Text Order of November 12, 2008 which required a response to said Motion on or before December 1, 2008, and the Court's Order to Show Cause of December 17, 2008, which again instructed Plaintiffs to file a brief and response in opposition to the pending Motion to Dismiss and extended the response date to on or before January 7, 2009, and with no response having been filed by Plaintiffs and with due consideration and deliberation of the factual and legal arguments

advanced in the Brief in Support of Defendant's Motion to Dismiss, each of which the Court finds to have merit and are specifically un rebutted by Plaintiffs,

NOW THEREFORE, the Motion to Dismiss filed by Defendant the Honorable Michael A. Della Vecchia is **GRANTED** in its entirety and the Honorable Michael A. Della Vecchia is dismissed without prejudice.

So **ORDERED** this 9th day of January, 2009.

BY THE COURT:

s/ Terrence F. McVerry
United States District Court Judge

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